

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

DELORIS HOOVER WILLIAMS

PLAINTIFF

VS.

CIVIL ACTION NO. 3:05CV508-WHB-JCS

REASSURANCE AMERICA LIFE
INSURANCE COMPANY

DEFENDANT

OPINION AND ORDER

This cause is before the Court on:

- 1) the Motion *In Limine* of Defendant Reassurance America Life Insurance Company, which the Court finds is well taken and should be granted; and
- 2) the joint Motion for Continuance and for Amended Scheduling Order, which the Court finds is not well taken and should be denied.

1) Motion *In Limine* of Defendant Reassurance

Through the Motion *In Limine*, Defendant seeks to preclude the admission of any evidence at trial pertaining to settlement offers. The Motion was filed on June 30, 2006. Plaintiff Williams did not file a Response to the Motion, and the time limit for filing a Response has long-since expired. Therefore, pursuant to the authority granted this Court under Rule 7.2(C)(2) of the Uniform Local Rules of the United States District Courts for the Northern

and Southern Districts of Mississippi,¹ the Court finds that the Motion *In Limine* is well taken and should be granted.

In the alternative, the Court finds that the Motion should be granted on the merits. Under Rule 408 of the Federal Rules of Evidence, evidence of settlement offers at trial are generally barred. Accordingly, Plaintiff will not be allowed to introduce evidence of settlement offers at the trial of this cause.

2) Joint Motion for Continuance and for Amended Scheduling Order

The trial of this cause is set during the trial calendar beginning on September 5, 2006. The parties contend that the trial date should be continued because they have not completed necessary discovery. The Court notes that the discovery deadline has already been extended on one occasion. See Text Order filed on February 27, 2006. No further extension will be allowed, and this case will proceed to trial as scheduled. The subject Motion is not well taken.

3) Conclusion

Based on the holdings presented above:

IT IS THEREFORE ORDERED that the Motion *In Limine* of Defendant Reassurance America Life Insurance Company (docket entry no. 21) is hereby granted.

¹Rule 7.2(C)(2) states "[i]f a party fails to respond to any motion, other than a motion for summary judgment, within the time allotted, the court may grant the motion as unopposed."

IT IS FURTHER ORDERED that the joint Motion for Continuance and for Amended Scheduling Order (docket entry no. 25) is hereby denied.

SO ORDERED this the 14th day of August, 2006.

s/ William H. Barbour, Jr.
UNITED STATES DISTRICT JUDGE

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